



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

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News media information 202-418-0500  
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)  
TTY (202) 418-2555

DA No. 14-1311

Report No. SCL-00154

Wednesday September 10, 2014

## Actions Taken Under Cable Landing License Act

### Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

These applications have been coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 C.F.R. § 1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, State Department Media Note (Revised) (rel. Dec. 20, 2001) available at <http://2001-2009.state.gov/r/pa/prs/ps/2001/6951.htm>.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-02-598A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf) for a March 13, 2002 Public Notice; [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-01-332A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf) for the December 14, 2001 Report and Order.

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SCL-T/C-20131219-00017 E

Antilles Crossing-St. Croix, Inc.

Transfer of Control

Grant of Authority

Date of Action: 09/09/2014

**Current Licensee:** Antilles Crossing-St. Croix, Inc.

**FROM:** GLOBAL CARIBBEAN FIBER, SAS

**TO:** Fibre Investments Holdings Limited IBC

Application for consent to the transfer of control of the cable landing license for the Antilles Crossing system, SCL-LIC-20031125-00032, held by Antilles Crossing-St. Croix, Inc. (ACSC) from Global Caribbean Fiber SAS (GCF) to Fibre Investment Holdings Limited IBC (FIHL). The Antilles Crossing system is a non-common carrier cable system extending between the U.S. Virgin Islands, St. Lucia, and Barbados.

GCF, and certain of its affiliates, have entered in to a Share and Asset Purchase Agreement with FIHL, a newly formed company organized under the laws of St. Lucia, and Digicel Investments France SAS (DIF), a newly formed company organized under the laws of France and an affiliate of FIHL. Pursuant the terms of the Agreement GCF has agreed to sell to FIHL all of GCF's shares in ACSC and in AC (Barbados) IBC, the parent of Antilles Crossing (St. Lucia) Limited (AC St. Lucia). GCF has agreed to sell to DIF a 99.99% interest in AC Barbaos LP (ACBLP) and a 99.99% interest in Antilles Crossing International, LP (ACI). ACSC owns the subsea portion of the Antilles Crossing system in U.S. territorial waters and the landing station in St. Croix; AC St. Lucia owns the subsea portion of the system in St. Lucia's territorial waters and the landing station in St. Lucia; ACBLP owns the subsea portion of the system in Barbados territorial waters and the landing station in Barbados; and, ACI owns the subsea portions of the Antilles Crossing system in international waters.

FIHL is a wholly owned by Fibre Investments Ltd (St.Lucia) IBC, which is wholly owned by Digicel International Finance Limited (DIFL), both St. Lucia entities. DIFL is wholly-owned by Digicel Holdings (Bermuda) LTD, which is wholly-owned by Digicel Limited, which in turn is wholly-owned by Digicel Group Limited (DGL), all Bermuda entities. DGL is 99.9% owned by Digicel Investments Limited (DIL), a Bermuda entity. Mr. Denis O'Brien, a citizen of Ireland, has 100% ownership of DIL.

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on September 8, 2014, by the Department of Homeland Security (DHS) on behalf of itself and the Department of Justice (DOJ, collectively with DHS, the "Agencies"). Accordingly, we condition grant of this application on compliance by Antilles Crossing-St. Croix, Inc. and Fibre Investments Holdings Limited IBC with the commitments and undertakings set forth in the December 17, 2007 Agreement among Antilles Crossing-St. Croix, Inc., Leucadia National Corp., Auto-Guadeloupe Investissement S.A. and the Agencies, as amended by the September 8, 2014 Amendment Number 1. A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the cable landing license and thus grounds for declaring the license terminated without further action on the part of the Commission. Failure to meet a condition of the license may also result in monetary sanctions or other enforcement action by the Commission. The Petition and Amendment Number 1 may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20131219-00017 and accessing the "Other Filings related to this application" from the Document Viewing Area. A copy of the December 17, 2007 Agreement is publicly available and may be viewed through IBFS by searching for SCL-T/C-20070621-00013 and accessing "Other filings related to this application" from the Document Viewing area.

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SCL-T/C-20140816-00006 E

Reliance Globalcom Limited

Transfer of Control

Grant of Authority

Date of Action: 09/09/2014

**Current Licensee:** Reliance Globalcom Limited

**FROM:** Reliance Globalcom BV

**TO:** GCX Limited

Notification filed August 16, 2014, of the pro forma transfer of control of the cable landing license for the FLAG Atlantic-1 cable system, SCL-LIC-19990301-00005, SCL-MOD-20040211-00005, held by Reliance Globalcom Limited (RGL), from Reliance Globalcom BV (RGBV) to GCX Limited, effective July 17, 2014. The FLAG Atlantic-1 cable system extends between the continental United States and the United Kingdom and France.

In a reorganization of the Reliance Communications Limited (RCOM) corporate structure, Global Cloud Xchange Limited and GCX, both Bermuda entities and wholly-owned subsidiaries of RGBV, were inserted into the corporate structure between RGBV and RGL. RGBV, Global Cloud Xchange, GCX, and RGL are all subsidiaries controlled by RCOM.

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